IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11355 of 2005

Between:

Tummala Nageswar Rao, S/o. Seetharamaiah,
Dealer (Under Cancellation) of Kodali (v) Ghantasala (M),
Krishna District.

..... PETITIONER

AND

1 The Joint Collector, Krishna, Machilipatnam.
2 The Revenue Divisional Officer, Bandar, Krishna District.
3 The Mandal Revenue Officer, Ghantasala (M) Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the order of the 2nd respondent issued in Rc.No. C.2208/98 dt. 27-4-2005 and also inaction of the 1st respondent in not passing appropriate orders either on the stay petition or on the appeal filed by petitioner on 10-5-2005 as illegal, arbitrary, and violative of principles of natural justice and consequently set aside the order of cancellation dt. 27-4-2005 and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, a the admission stage, made the following :

THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO : 11355 of 2005

ORDER:

Inasmuch as not passing appropriate orders either on the stay petition or on the appeal filed by the petitioner on 10-05-2005, the present writ petition has been filed.

2 . Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies, appearing on behalf of the respondents.

3 . The main grievance of the petitioner is that the 2nd respondent-Revenue Divisional Officer, Bandar, Krishna District, issued proceedings dated 27-04-2005, canceling the authorization of the petitioner's dealer ship to the fair price shop. Aggrieved by the same, the petitioner filed an appeal before the 1st respondent-Joint Collector, Krishna, Machilipatnam. But the 1st respondent has not yet passed appropriate orders and kept pending the appeal filed by the petitioner.

4 . At this stage, appropriate decision has to be taken by the 1st respondent on the appeal itself filed by the petitioner. Hence, without going into the merits of the case, I dispose of the writ petition with certain direction.

5 . Accordingly, the writ petition is disposed of, directing the 1st respondent-Joint Collector, Krishna, Machilipatnam, to take appropriate decision on the appeal, dated 10-05-2005, filed by the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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May 17, 2005

Kvr

To

1 The Joint Collector, Krishna, Machilipatnam.
2 The Revenue Divisional Officer, Bandar, Krishna District.
3 The Mandal Revenue Officer, Ghantasala (M) Krishna District.

4. Two C.Cs. to the G.P. for Civil Supplies, High Court of A.P.,

Hyde4rabad (OUT)

5. Two C.D.Copies.